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CITY OF
ATWATER
GENERAL PLAN

1981 • 2001

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1983 REVISION
LAND USE & DEVELOPMENT
POLICIES

RESOLUTION NO. 568-83

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ATWATER APPROVING THE 1983
REVISION OF ATWATER'S GENERAL PLAN 1981 -
2001

WHEREAS, the City of Atwater has received several requests from property owners for changes in the adopted land use designations; and,

WHEREAS, the Atwater City Council had requested reconsideration of the land use at several locations; and,

WHEREAS, it was determined during environmental evaluation that the significant adverse impacts discussed in the EIR of the General Plan, adopted May 24, 1982, did not change, and the same mitigating measures will apply; and,

WHEREAS, the only significant adverse impact not discussed in said EIR is the condition or sizing of existing sewer and stormdrain lines in some areas of the City of Atwater; and,

WHEREAS, the only mitigation possible when development is proposed in any of those constraint areas is either

1. lower density/intensity of project, or
2. replacement by developer of the insufficient line, or
3. proportionate share payment by developer toward a sufficient line, or
4. denial of the project; and,

WHEREAS, an environmental evaluation and/or focussed EIR is always required before any development project gets approved, in order to determine mitigating measures; and,

WHEREAS, the Planning Commission held noticed public hearings on September 14, 21, and 28, October 13, and 26, and November 16, 1983; and,

WHEREAS, the City Council held public hearings on September 26, October 10 and 24 and November 14 and 28, 1983; and,

WHEREAS, no protests were received from the public during those public hearings, nor were any written comments received, and

WHEREAS, the Planning Commission adopted the 1983 General Plan revision on November 16, 1983 with Resolution No. PC 66-83, recommending approval to the City Council.

NOW, THEREFORE, BE IT RESOLVED that the Atwater City Council hereby approves and adopts the 1983 General Plan revision as shown on Exhibits A through Q which are made a part of this Resolution as follows:

Land Use Maps, Chapter L in the General Plan, have been approved as listed below:

Area # 1	-	no change
Area # 2	-	see Exhibit "A"
Area # 3	-	no change
Area # 4	-	see Exhibit "B"
Area # 5	-	no change
Area # 6	-	updated, to reflect completed annexation
Area # 7	-	see Exhibit "C"
Area # 8,9,10	-	no change
Area #11	-	see Exhibit "D"
Area #12	-	no change
Area #13	-	see Exhibit "E"
Area #14	-	see Exhibit "F"
Area #15	-	see Exhibit "G"
Area #16	-	see Exhibit "H"
Area #17	-	see Exhibit "I"
Area #18	-	no change
Area #19	-	update to reflect completed annexation
Area #20	-	see Exhibit "J"
Area #21	-	see Exhibit "K"
Area #22	-	see Exhibit "L"
Area #23	-	see Exhibit "M"
Area #24	-	see Exhibit "N"
Area #25	-	see Exhibit "O"

FURTHERMORE, policies, Chapter K in the General Plan, have been approved with some minor changes, deletions or additions as shown on the 3 pages in Exhibit "P"; and,

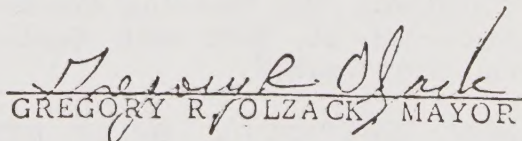
The Chart showing residential densities on page K-47 of the General Plan is adopted with the changes shown on Exhibit "Q."

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of Atwater is hereby adopting the 1983 revision of Atwater's General Plan as shown on Exhibits A - Q, and hereby made a part of this Resolution.

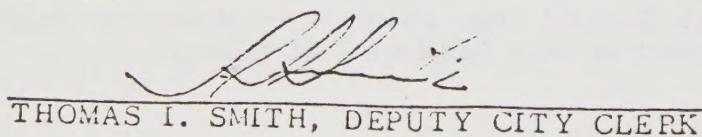
The foregoing resolution is hereby adopted this 28th day of November, 1983.

AYES:	Dash, Mitchell, Rogers, Zimmerman, Olzack
NOES:	None
ABSENT:	None

APPROVED:

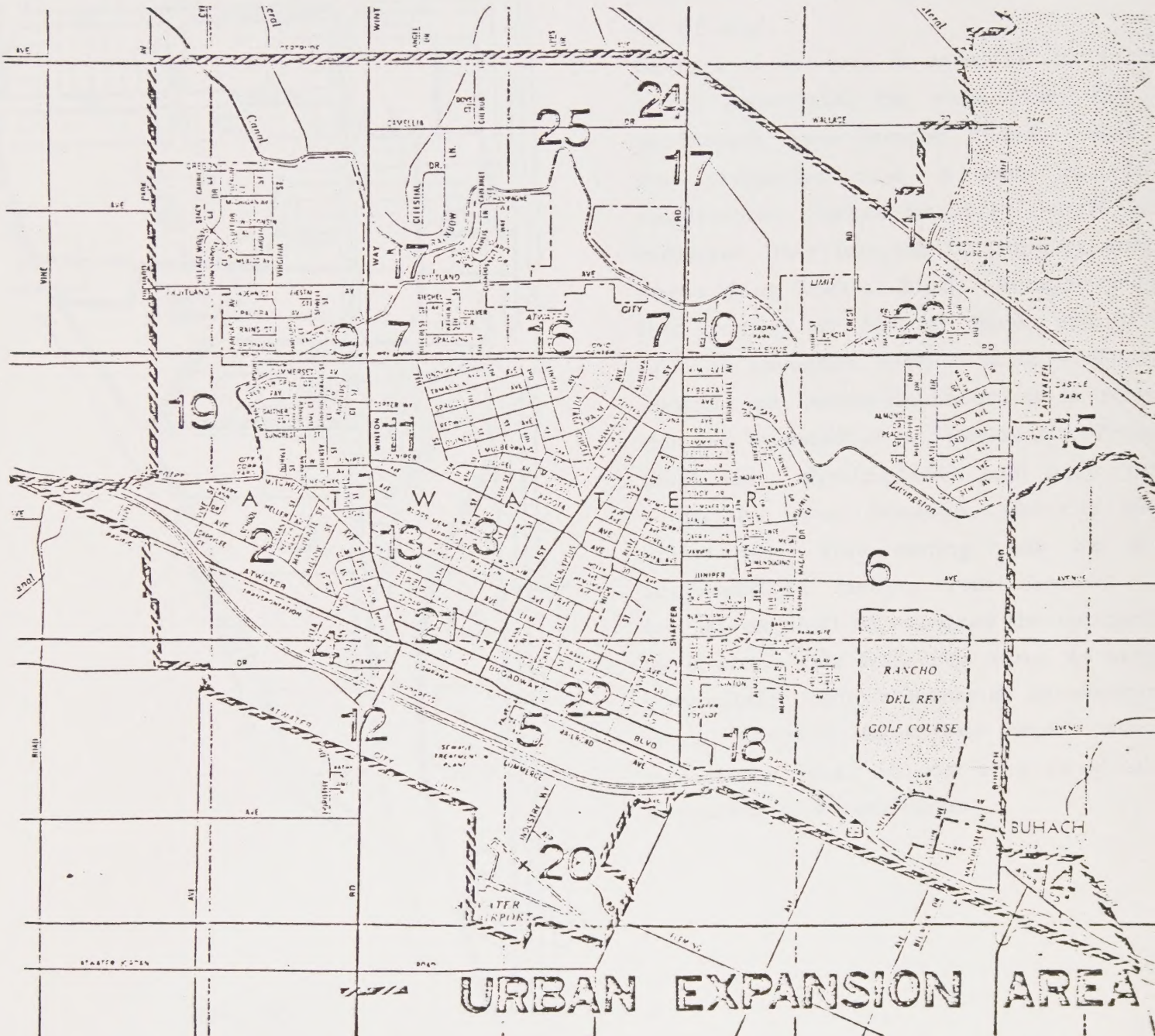

GREGORY R. OLZACK, MAYOR


ATTEST:


THOMAS I. SMITH, DEPUTY CITY CLERK

On the following pages are numbered land use maps, which correspond with the numbers given below. Only undeveloped or partly developed areas are shown, areas in transition to a different types of use, or those where detailed explanations are required. Areas not shown shall remain as presently established.

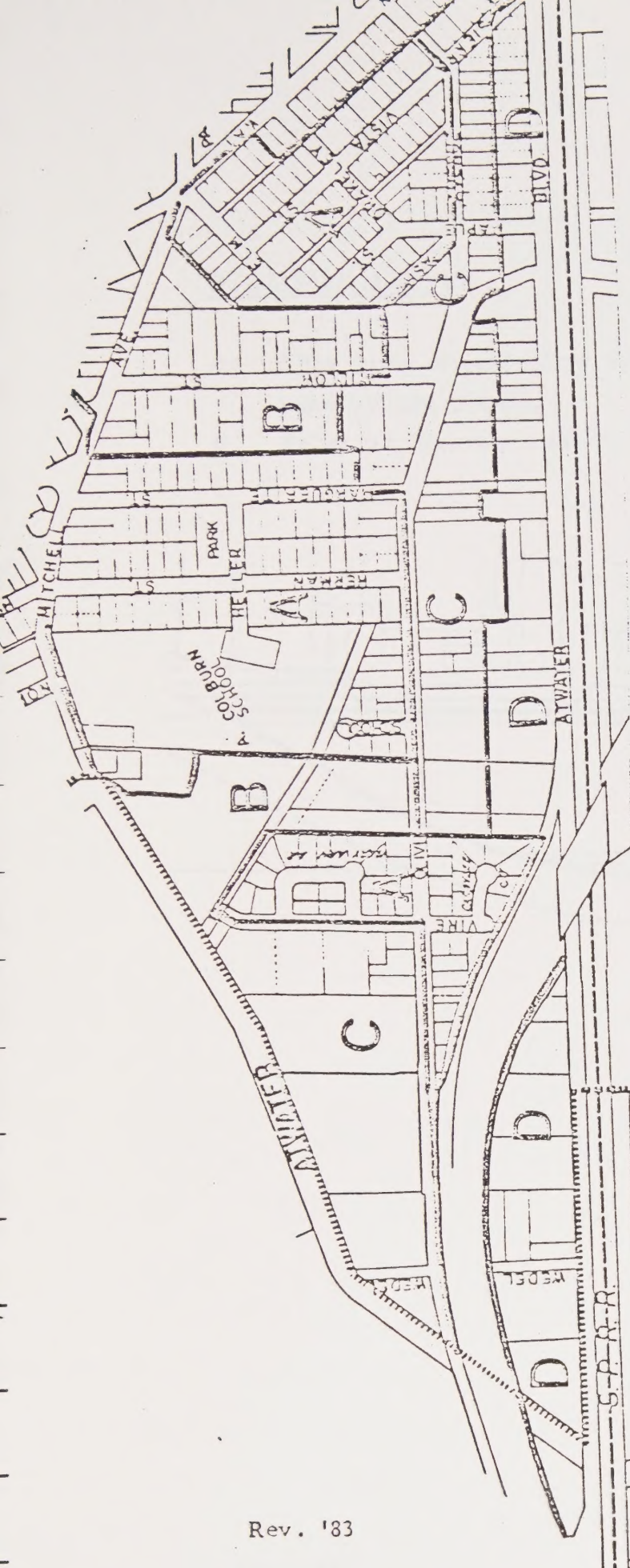
Area #8 is not shown below, because it covers all Scenic Corridors.





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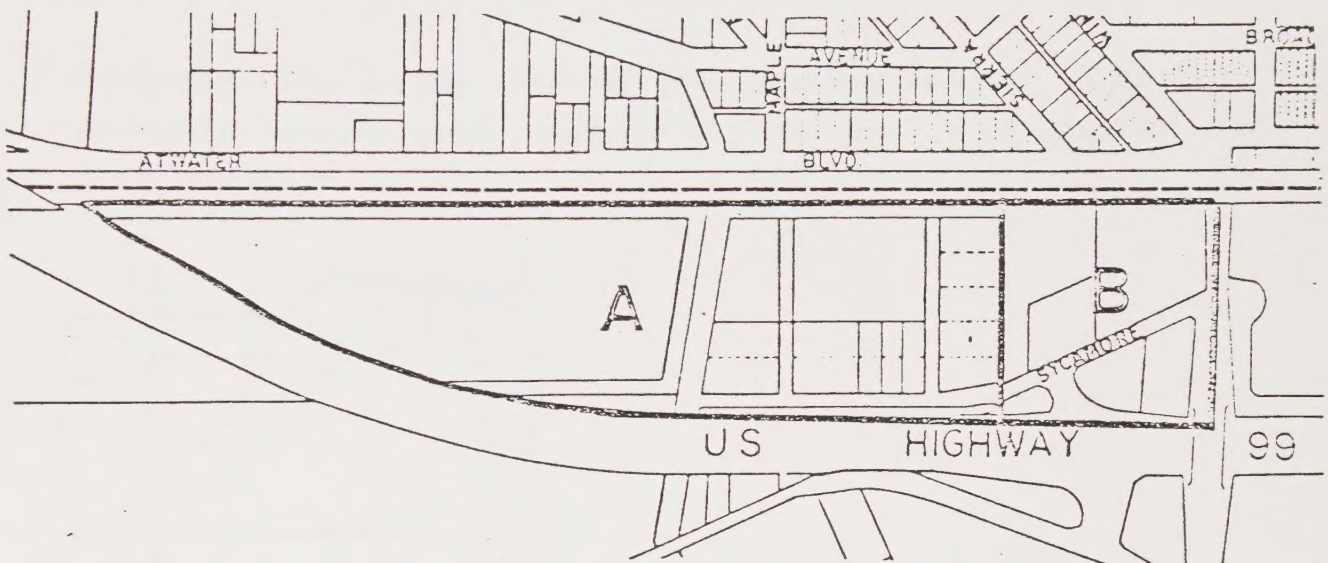
<https://archive.org/details/C123304480>



- A. Properties shown in areas as "A" shall be single family residential, with a density of not more than one unit for every 6,000 sq. ft. lot. (5-7 units/acre)
- B. Properties shown in areas indicated as "B" may have a density not exceeding one unit per 3,000 sq. ft. lot.
- C. Properties in the area shown as "C" are allowed to build multi-family units, not to exceed a density of one unit per 2,000 sq. ft. of land.
- D. Several of the lots in area "D" have been zoned commercial for some time, but no businesses have located there. Most of the properties have a very run-down appearance. Several property owners have indicated their interest in building apartments along Atwater Blvd. Because properties fronting on Atwater Blvd. are in an area of transition with a mixture of residential and commercial uses, it is recommended to establish a "Residential Transition" zone, allowing both land uses, until a definite trend develops. (Density 16-units/acre). This zoning may be more successful in causing redevelopment. Use Permit shall be required for commercial uses within this transition zone, to assure compatibility with residential development. Bars, arcades, automobile repair shops and similar uses, are not considered to be compatible with residences.

SYCAMORE AVENUE

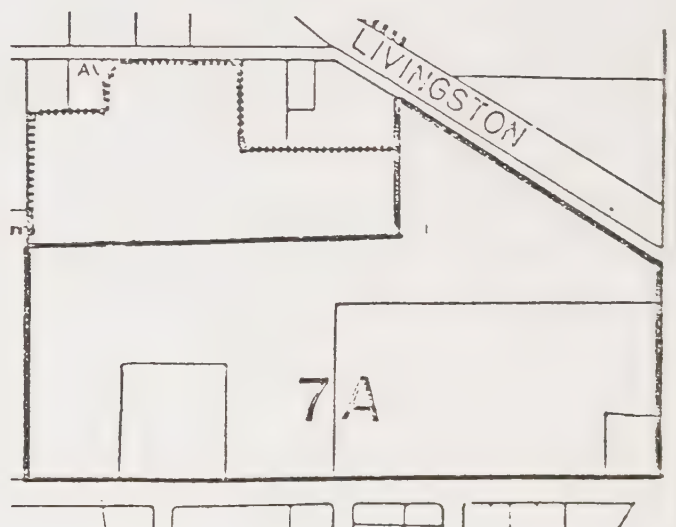
- A. This area should allow industrial uses and compatible commercial uses by use permit.
- B. Retail or Highway-related Commercial.



WINTON WAY/BELLEVUE AREA

The area shown as 7-A was zoned Planned Development for a community shopping center in 1975, (25.8 acres), and proposed to be developed in three phases. Phase I (11 acres) is completed, and Phase II has started with construction of Merced County Bank. A department store is proposed for Phase II as the shopping center's major tenant, but no commitments have been made yet. Although the City of Atwater has a large amount of commercially zoned land, the location shown below as Area 7-B, is also an area recommended for commercial development.

Residential land to the north of both locations shall be single family residential because sewer capacity does not allow higher density than 5 - 7 units/acre.



ROYAL ARMS VICINITY

This area, a total of about 25 acres, has been before the City Council several times for zone changes to a higher density than single family residential (4-5 D.U./acre). The most recent action taken approved Atwater Estates with 102 units. The site changed ownership again, and nothing has been developed. The area with its weeds, and only one-half of 7th Street developed, is unsightly as well as a traffic hazard. It would be of benefit to the neighborhood to get a development completed at that location.



Land use designation: To allow only large lot single family homes fronting on 7th Street, construct curb, gutter, sidewalk, and complete the street to the required 60 foot. width.

A retention basin of about 2 acres needs to be donated to the City. Remainder of the property shall be a Planned Development, allowing an overall density of up to 29 units per acre, but requiring a private open space recreation area. Sewer line off Juniper is adequate.

Circulation: To prevent a severe traffic hazard, no egress onto Winton Way shall be permitted. New streets shall exit only onto Juniper Avenue, and tie into Carter Way. Juniper and Carter Way shall be the only entrances onto Winton Way from this development.

Construction shall be only single story, or a mix of 2- and 1-story units. Property owners need to work with the schools and neighboring property owners in order to mitigate any possible adverse effects. Quality of design and landscaping is required to get this high density approved.

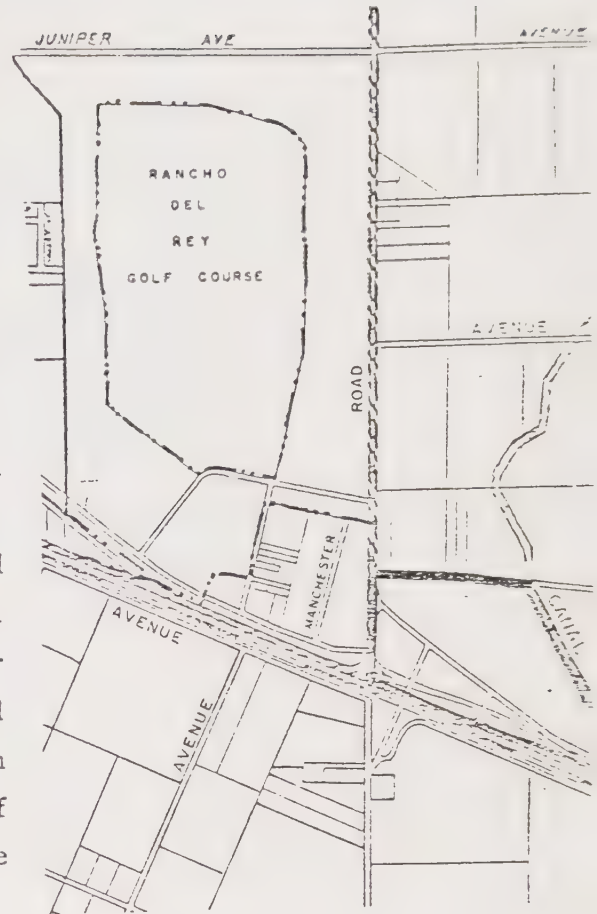
Properties between Winton Way and First Street, from Drakeley to Grove Avenue, have been zoned for apartments since the first zoning districts were established in Atwater. Most lots have been built up with one or two single family residences, and very few apartments have been constructed over the years.

A sewer survey shall be done to establish capacity available, and staff should survey all property owners in writing about possible future downzoning. Any apartments built on larger lots should be single story if adjacent to single story existing residences.



This area is being recommended for inclusion into the Atwater Urban Expansion area, which presently stops at Buhach Road.

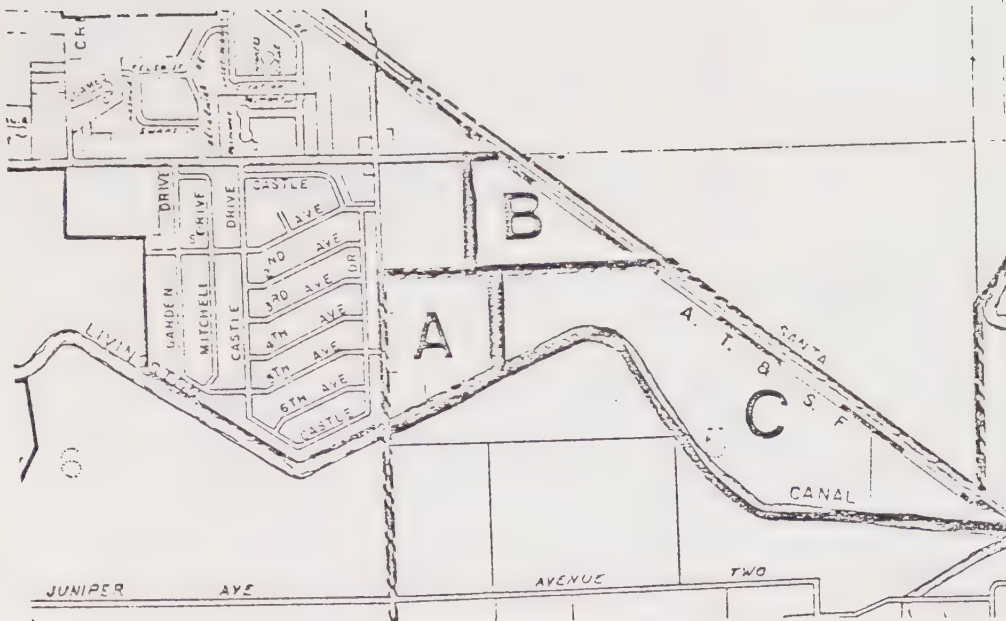
The 300 acres around Rancho Del Rey Golf Course have been annexed and zoned for a Planned Development. That development, the golf course, Castle Air Force Base, and the new Air Museum will all contribute to making this one of the main entrances to the City of Atwater. All entrances and major arterials are adopted as "Scenic Corridors" in the Scenic Corridor Element of the General Plan, and the City would like to have a say in proposed developments both sides of Buhach Road near the entrance to the City.



Presently, some of the area at the northwest corner of Buhach and Broadway is zoned residential, some commercial. On the east it is zoned industrial.

The General Plan Review Committee and Staff are unanimously recommending to allow highway-oriented commercial near the entrance, and to clean up the area: street trees, landscaping, curb, gutter and sidewalk would certainly look more inviting to visitors entering the City at this point.

No annexation is proposed at this time.



The General Plan Review Committee is requesting to have these 121± acres included in the City's Urban Expansion Boundary for the following reasons:

- A. The 22 acres adjacent to Buhach Road are an ideal location for apartments, in walking distance to the Base. A density of one dwelling unit per 3,000 sq. ft. of land is recommended, when all utilities are available. Owner has requested annexation.
- B. Approximately 20 additional acres have been included in the Primary Growth Area. They are located adjacent to Castle Park and the City limit, south of Bellevue Road and southwest of Santa Fe Drive, and would provide a good site for a motel, a much needed facility so close to Castle Air Force Base. A good restaurant, or related visitor commercial use could locate on that site as well.
- C. The other 79± acres are mainly in agricultural uses presently, are zoned for agricultural, and shall remain as Agricultural Preserve. They are included in Atwater's Urban Expansion Area, because they should be preserved until property owners desire annexation. Livingston Canal is a good boundary for future City limits.

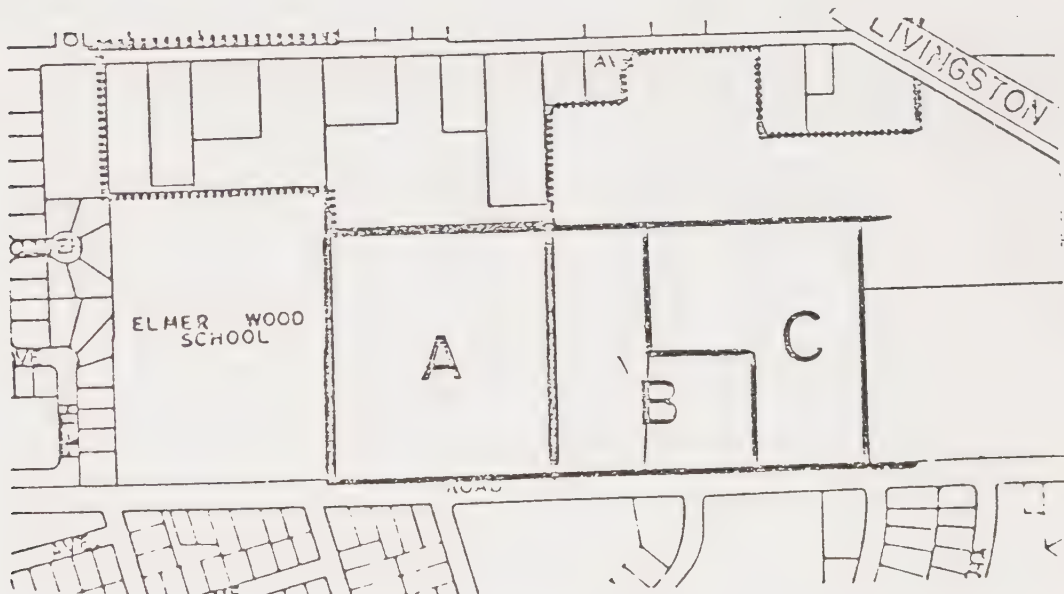
EAST OF ELMER WOOD SCHOOL

The designated land uses on the three outlined parcels are as follows:

Parcel "A": It is recommended to allow all of that parcel to be developed as P-D commercial, or combination of residential and commercial, but have the parking lot and a landscaped buffer with trees provide a buffer adjacent to the school. Residential development will not exceed one unit per 2,000 sq. ft. Retail, office or similar commercial uses are appropriate.

Parcel "B": Contains the bowling alley, which is proposed for expansion. Any retail, office or similar commercial use would also be appropriate.

Parcel "C": Is the location of Phase II of the approved Atwater Village Shopping Center.



NORTH AND SOUTH OF LIVINGSTON CANAL

Six separate areas are shown on the map below, which are outside Atwater's City limits, but within the Primary Growth Area. Future land use designations for those locations are recommended as follows:

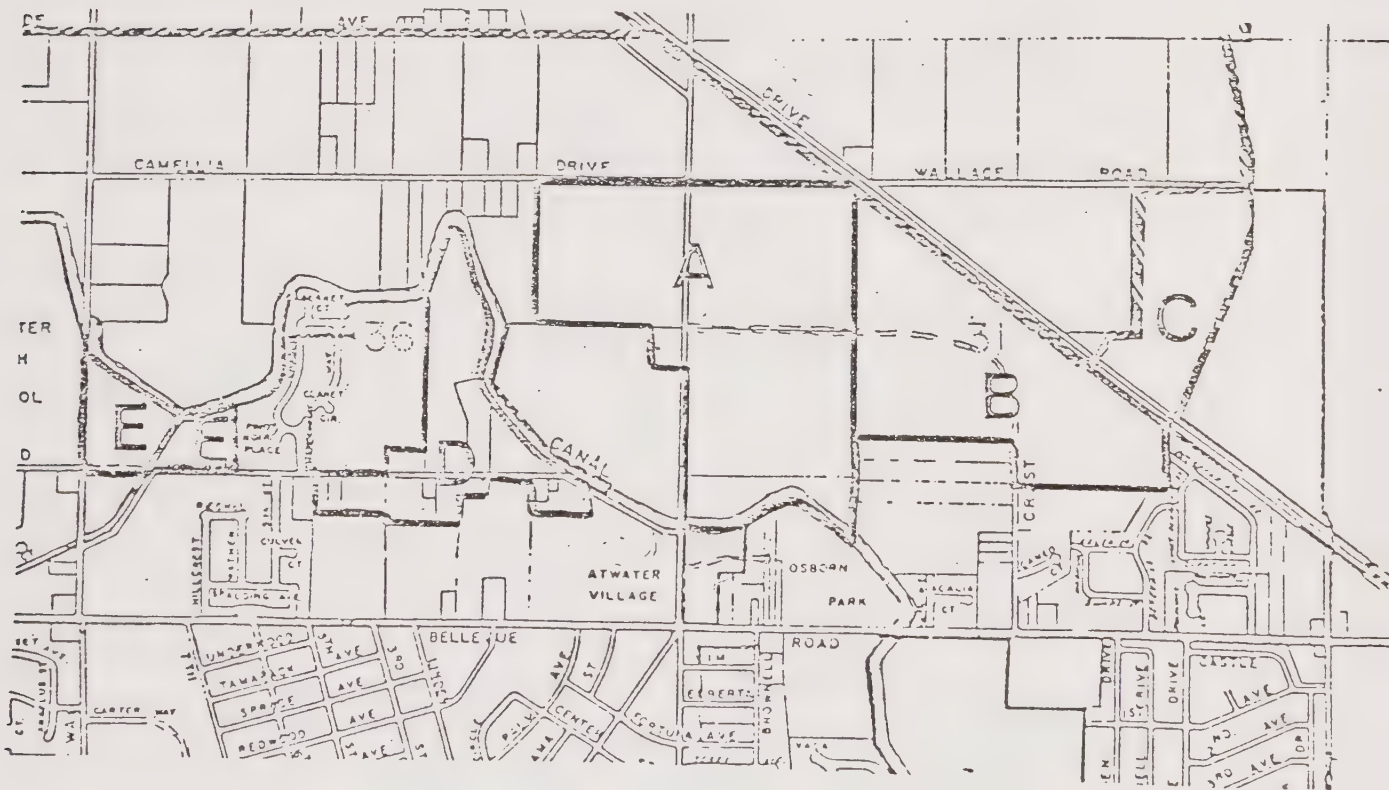
Location A: East and west of Shaffer Road may get about eight (8) units per acre, not to exceed a total of 1,160 units in the area shown.

Location B: This acreage is earmarked for future light industrial uses. Presently an almond huller and an orchard are located on the site. Entrance should come from Crest Road, which is proposed to be extended in an east-west direction to Shaffer Road. No crossing over the railroad tracks should be permitted.

Location C: Board of Supervisors approved ten acres west of the Castle Air Museum for inclusion into Atwater's Urban Expansion Boundary. The same property owners purchased more acreage up to Wallace Road and requested inclusion for that area as well. The Air Museum will be extended onto this land when more room is required. Land use designation will be light industrial, or museum and visitor-related commercial uses, which do not generate much liquid waste.

Location D: Because of its proximity to large lot residential developments, the same use is recommended for the remaining acreage: Large lot single family residential, with densities between 2 and 4 units per acre.

Location E: This area needs to be treated in two parts. East of the canal, which is adjacent to large lot single family residential, should be allowed for the same low density of between 2 and 4 units per acre. West of the canal, and adjacent to Winton Way, should be a residential Planned Development of a mixture of densities, single family as well as apartments, but not exceeding one unit per 3,000 sq. ft. overall density. Exits onto Winton Way should be controlled, as far away from the intersection as possible to prevent traffic hazards when making left-hand turns. Once Fruitland Avenue has been realigned, entering Winton Way at the intersection, exit from the Planned Development should be onto Fruitland Avenue, with the exit onto Winton Way allowing "right turn only".



SOUTH OF THE FREEWAY

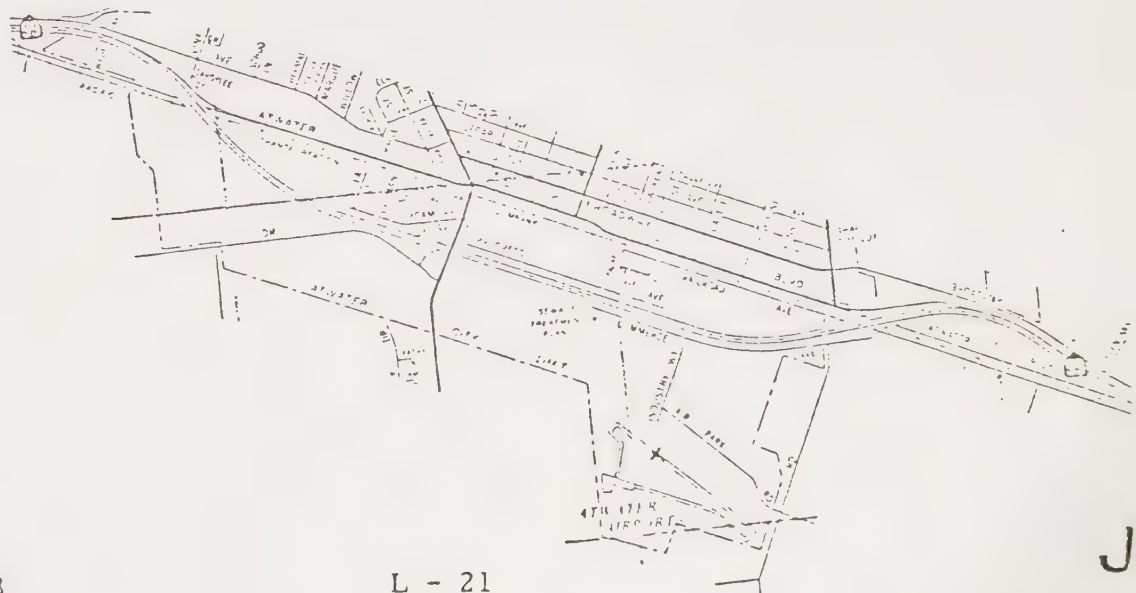
With the adoption of the General Plan on May 24, 1982, the City Council included 421 acres of land to be added to Atwater's Urban Expansion Boundary south of the Freeway, earmarking it for future industrial expansion. It was proposed to remain Agricultural Preserve until that date.

The Board of Supervisors denied the City Council's request on December 13, 1982. Area #20 is therefore revised to reflect that action.

ATWATER'S MUNICIPAL AIRPORT

The Atwater City Council adopted the "Airport Height Limit Zone" and appurtenant maps in May 1976, which are hereby made a part of this General Plan. This ordinance regulates and restricts the height of structures and objects of natural growth, and the use of property in the vicinity of the Atwater Airport. It creates Airport Primary Surfaces and Approach, Transitional, Horizontal and Conical Zones and Boundaries.

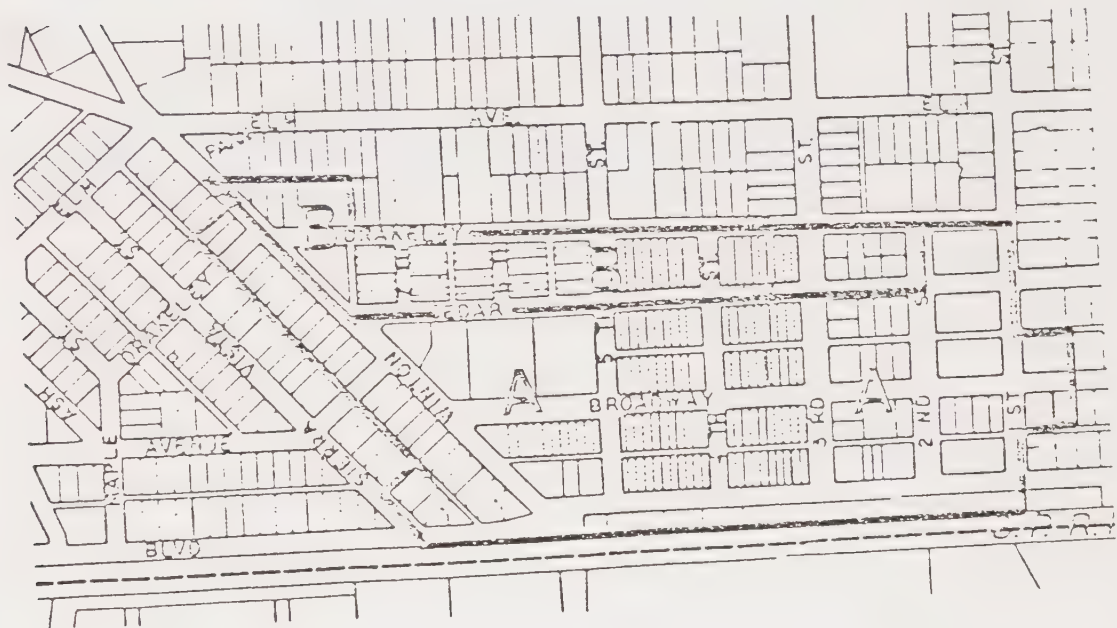
The purpose of these regulations is to promote the health, safety and general welfare of the public by preventing the creation or establishment of airport hazards.

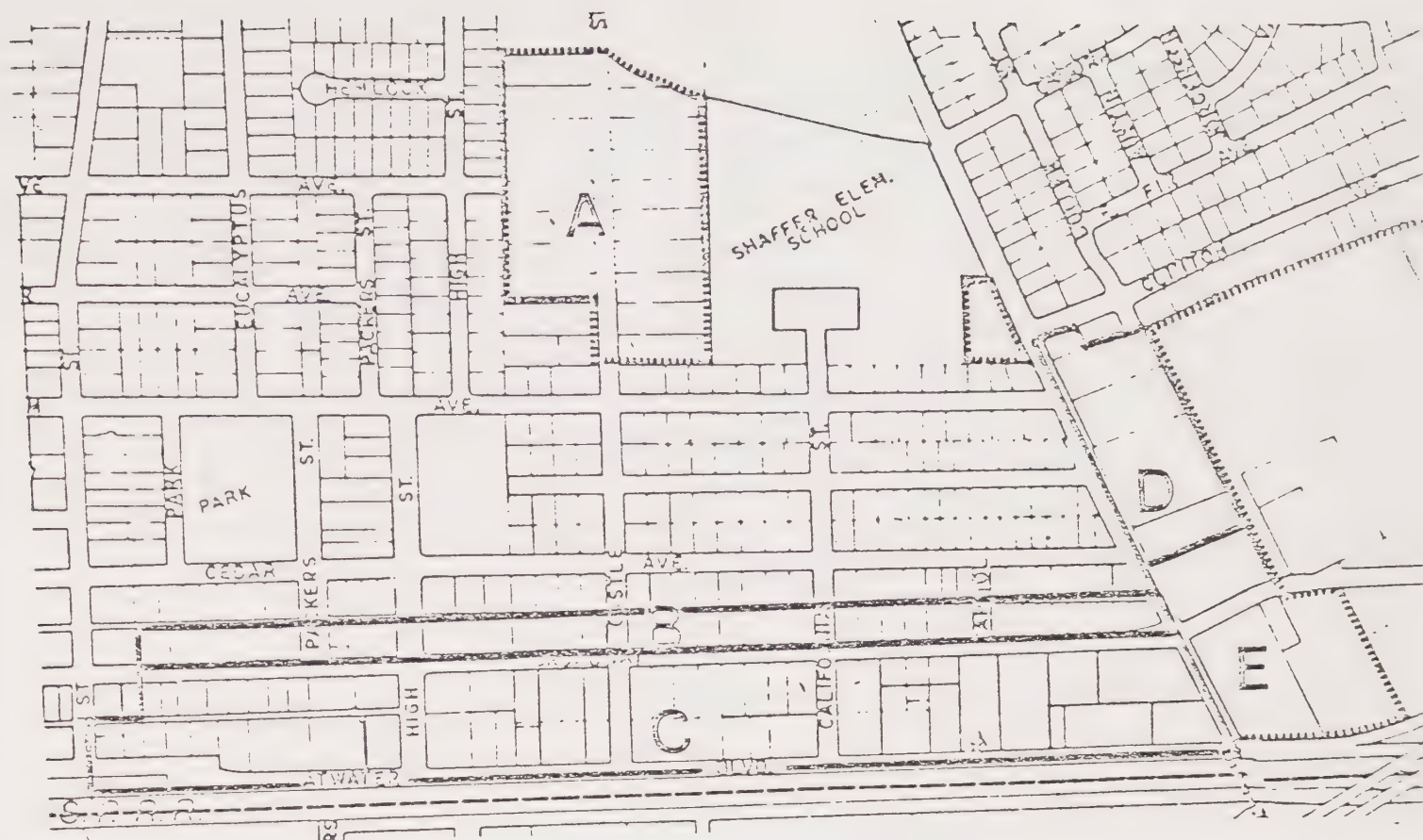


- A. This area, which is also shown on Page K-37, includes all properties considered as the "Downtown Revitalization Area", and which is discussed in more detail in the adopted Revitalization Plan. This Plan recommends only pedestrian-traffic-generating commercial uses, and to avoid "dead" spaces, which take up room without bringing shoppers to the area.

Because this area has very different needs and requirements than other commercial areas, for example: parking, signs, setbacks, beautification and land uses, a new zone shall be developed for this central commercial area, in coordination with the property owners and merchants in that area.

- B. Residential Transition area (See Area #2)

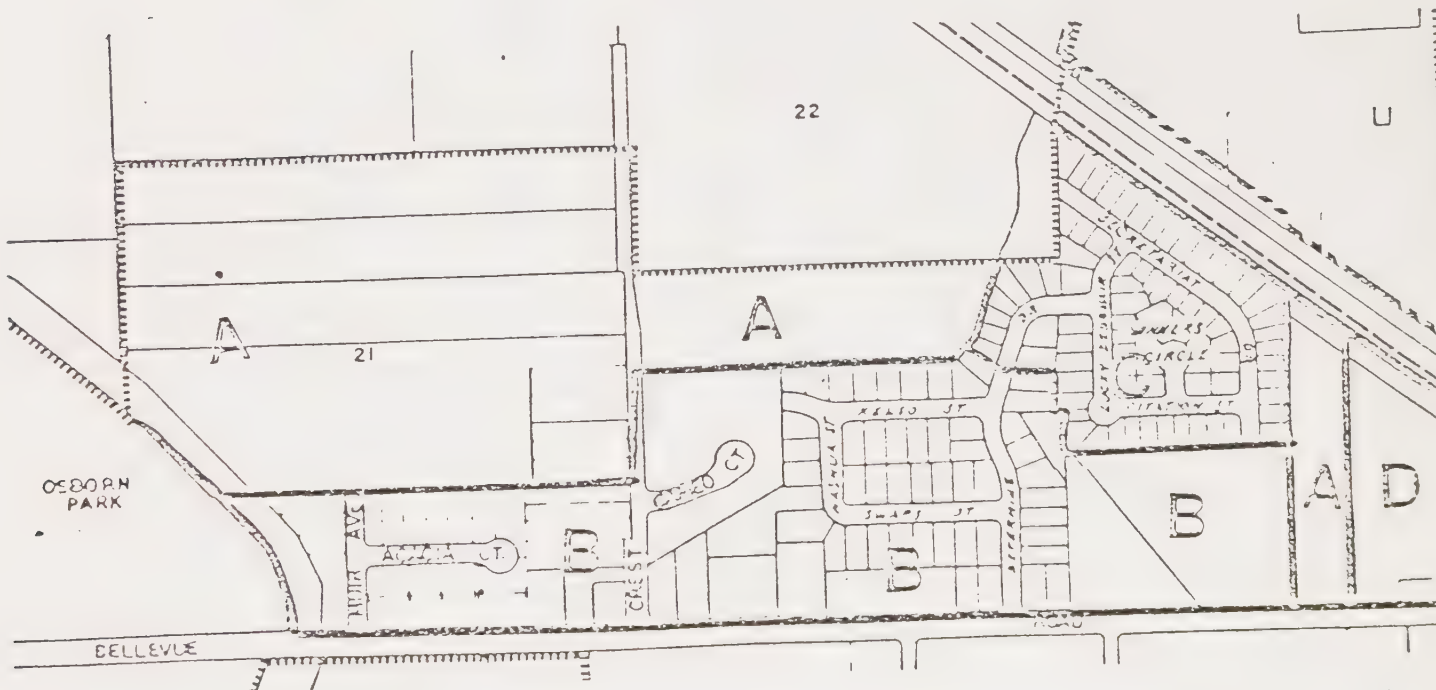




- A. The large lots along Castle Street, which are proposed to be annexed, may get a residential density of not to exceed 1 unit per 3,000 sq. ft. of land.
- B. This area is developed with apartments, single family homes and some commercial uses. It is designated for residential transition as described under AREA #2.
- C. Many automobile repair shops have developed along these blocks, and it is recommended to allow general commercial uses in this area, including repair and service establishments. Better landscaping and screening needs to be established.
- D. Because the trend has been set for commercial in this area, it is recommended to allow commercial uses here, which do not generate too much traffic.
- E. Light industrial or retail commercial is appropriate.

Existing land uses in this area have established the trend, and vacant parcels should be developed residential with densities listed below:

- A. This area shown as "A" is designated for mobile home parks, not to exceed one unit for every 4,400 sq. ft. of land.
- B. The density recommended for this area "B" is not to exceed one unit for 2,000 sq. ft. of land. Several lots have been zoned for a higher density, and shall be included in the same medium density zoning, in order to prevent other exceptions in the area. The result of this high density was that the lots are paved for parking, and the children are playing on the road. It does not provide a healthy environment for families.
- C. Area "C" is developed as a low density single family residential subdivision, and shall keep the same zoning.
- D. Area "D" is designated for neighborhood commercial.

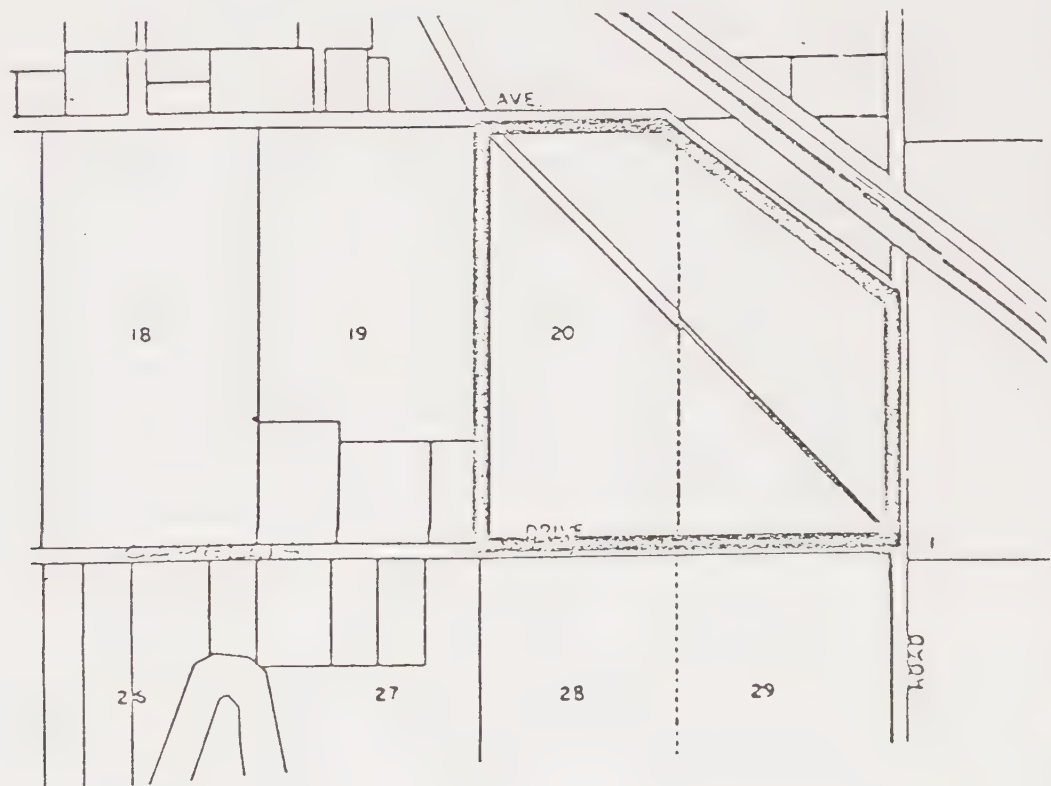


WEST OF SHAFFER ROAD. BETWEEN CAMELLIA AND GERTRUDE

This 32 acre property is presently shown as Agricultural Preserve, 10 acre minimum lot size. County zoning is A-1, 20 acre lot size.

This property has been tied up in estate for several years, because a division into four lots is not permissible. All of the property could be sold as one piece, and the money divided between the four heirs, if it were not for one of the heirs who has his residence on that land and does not intend to move.

The Planning Commission voted unanimously to provide an exception and allow this 32 acre parcel be split into four lots of between 7 - 10 acres each. If the County does not permit this split, the property should be included in Atwater's Primary Growth Area to allow annexation, with the same limitation of not more than four lots.



BETWEEN LIVINGSTON CANAL AND GERTRUDE AVENUE

A request has been received to allow two acre lots in the Urban Expansion Area north of the Livingston Canal to Gertrude, between Shaffer Road and Winton Way outside the Primary Growth Area.

The General Plan addresses this area in the Policies as follows:

"Properties outside the Primary Growth Area, located between the Livingston Canal and Gertrude Avenue, shall keep the same zoning they presently have in the County, but should stay within the presently existing Sphere of Influence. This area, also known as Urban Expansion Area, is not considered for annexation and development at this time. This may be revised as utilities become available."

To allow 2-acre lots, would be totally inconsistent with many policies in the General Plan. Comments received from the State Health Department during environmental review of the General Plan advise very strongly against more septic tanks, and can be found in the Appendix to the Final EIR. Excerpts of those comments are also listed on pages N-18, N-19, and N-20 of the EIR.

With Resolution No. 483-82, the City Council adopted the General Plan after considering all alternatives and the significant adverse impact of the environment if the General Plan is adopted. The mitigating measures identified in the EIR were integrated into the policies of the plan, and the Council included the following finding into Resolution No. 483-82:

1. That groundwater pollution through individual septic tanks can be mitigated and a significant adverse impact will be avoided by attaching the following conditions: that one individual septic tank may be approved on a rare occasion if

- a. the proposed land use is of benefit to the City of Atwater,
- b. is a non-intensive use that would not add to the groundwater pollution,
- c. is granted for a temporary period of time, and
- d. connection to the city sewer system is a mandatory requirement at the time it is accessible and economically feasible.

The mitigation adopted as a policy states "To allow development only, if connection to the City's sewer and water system is being enforced."

The Planning Commission voted to leave the ten acre per lot requirement on this area until some future date when annexation can be considered.



1983 Revision to General Plan

POLICIES

Page K - 4,

In multi-family residential, industrial, and commercial zones, upon development, parking lots shall contain landscaped areas with special emphasis on shade trees at the ratio of one 15-gallon tree from the approved tree list for every 6 parking spaces. Multi-family residential developments of 5 units or more should be encouraged to include a play area suitable for young people, or a passive open space area for adults.

Page K - 10,

In shopping centers, only one freestanding identification sign may be granted approval by the Planning Commission, under the conditions that it be no higher than 8 12 feet, and be in a planter or surrounded by landscaping, encroaching not more than ten feet into the required building setback.

Page K - 11,

Highway oriented uses in close proximity to the freeway may be allowed higher than ~~eight~~ twelve foot signs.

Page K - 13

In all other areas signs shall be against the building wall or fascia, but not on the roof. Perpendicular signs, hanging under marquees, etc., may also be permitted, or one monument sign per lot, not to exceed 8 feet in height, may be considered instead of the above. Logos shall be encouraged. All signs shall be on-premise identification signs only, except where preempted by State Law.

Page K - 13, Paragraph 7

Freestanding identification signs in shopping centers shall not be higher than eight twelve feet, and shall be limited to one identification sign per shopping center, except where a center has a minimum of 250 feet frontage along a second street, a second freestanding sign may be considered with the same height limitation.

Page K - 16,

Trees shall be required as a buffer between residential developments for single families and apartment, commercial or industrial developments, major arterials, and land in agricultural use where chemicals are being used.

Page K - 19, ADD Paragraph 4

Aviation Safety

The Airport Height Limit Ordinance, adopted by the City Council in 1975, and appurtenant map, are to be made a part of this General Plan and the Safety Element.

K - 23, ADD Paragraph 6

First Street shall not be designated as a truck route.

Page K - 29, ADD Paragraph 4

Individual Sewer Lines

A detailed study of the carrying capacity and physical condition of individual sewer trunk lines is to be made and integrated into this General Plan. No development shall be approved which could create problems for a neighborhood through overloading of individual lines, unless the developer mitigates the problem as found necessary by the City Engineer and Public Works Director.

Page K - 43

That the property owner may place a detached accessory building, which does not exceed 12 feet in height, contains less than 120 sq. ft. of projected roof area and is less than eight (8) feet in overall height any place on the property, provided:

1. that no such structure shall encroach on any exterior yard or easement,
2. that it comply with the building and fire code; and
3. That only one exempt structure is permitted per residential lot.

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- ~~- All Site Plans and associated Use Permits shall expire two years after approval, if no building permits have been issued by then and construction started.~~
- ~~- All other types of Use Permits shall expire one year after approval if operation has not started. A Use Permit shall also expire if the use has been terminated for 12 months or longer.~~

- All Use Permits require Site Plan and Design Review approvals from the Planning Commission, and shall expire after six months from date of approval if operation or construction has not started, or if the use has been terminated for six months or longer. A one year extension may be considered for just cause.
- Parking spaces, open or in 1-story structures shall be exempt from zoning setback requirements if located adjacent to an alley. Building and Fire Code have to be complied with, if applicable.
- The following Site Plan Reviews may be done by staff if all Code requirements are being complied with, and can be appealed to the Planning Commission:
 1. accessory structures in all residential zones;
 2. minor addition to existing dwelling;
 3. minor revision to previously approved site plan (if it does not change any conditions attached by the Planning Commission).

Page K - 45,

~~That applications for a revision to the General Plan may be considered up to three times a year, with one revision concurrent with the annual report.~~

TM/jn

DENSITIES IN RESIDENTIAL DISTRICTS

Specific Category	Minimum square feet of land per unit	Minimum Lot Size	Dwelling units/acre **
<u>LOW LOW DENSITY</u> *			
A-P Agricultural Preserve	ten (10) acres	10 acres	1 unit/10 acres
A-R Agricultural Residential	two (2) acres	2 acres	1 unit/2 acres
R-R Rural Residential	one (1) acre	1 acre	1 unit/acre
<u>LOW DENSITY</u> *			
R-E Residential Estate	16,000 sq.ft.	16,000 sq.ft.	2 units/acre
R-1-10 Single Family Residential	10,000 sq.ft.	10,000 sq.ft.	3-4 units/acre
R-1-8 Single Family Residential	8,000 sq.ft.	8,000 sq.ft.	4-5 units/acre
R-1-6 Single Family Residential	6,000 sq.ft.	6,000 sq.ft.	5-7 units/acre
<u>MEDIUM DENSITY</u>			
R-1-5 Single Family Residential	5,000 sq.ft.	5,000 sq.ft.	6-8 units/acre
R-1-4 Single Family Residential	4,000 sq.ft.	4,000 sq.ft.	8-10 units/acre
R-1-3 Single Family Residential, patio homes	3,000 sq.ft.	3,000 sq.ft.	10-14 units/acre
R-1-M Single Family Residential	5,000 sq.ft.	5,000 sq.ft.	6-8 units/acre
R-M Mobile Home Park	4,400 sq.ft.	5 acres	7-10 units/acre
R-2 Duplex or Single Family	3,000 sq.ft.	6,000 sq.ft.	10-14 units/acre
R-3-2.5 Multi-family Residential	2,500 sq.ft.	10,000 sq.ft.	12-17 units/acre
R-3-2 Multi-family Residential	2,000 sq.ft.	10,000 sq.ft.	16-21 units/acre
<u>HIGH DENSITY</u>			
R-3-1.5 Multi-family Residential	1,500 sq.ft.	10,000 sq.ft.	18-29 units/acre
R-3-1 Multi-family Residential	1,000 sq.ft.	10,000 sq.ft.	25-43 units/acre
<u>VARIES</u>			
P-D Planned Development of Commercial, residential and/or industrial.	Varies	one (1) acre min.	Varies
R-T Residential Transition	2,000 sq. ft.	10,000 sq. ft.	Up to 21 units/acre

(Allows compatible Commercial uses with Use Permit)

* Second unit allowed in addition to single family home, if certain findings can be made as specified in the Atwater Municipal Code.

** Depending on environmental evaluation, street dedication, and other constraints.

10-2-11-2 units per lot except in P-D when this



